

4VAC15-90-90. Game: Deer: Bag Limit, Bonus Deer Permits and Special Antlerless Provision for Youth Hunters.

Summary:

The proposal is to (i) create a two deer per day bag limit on private lands west of the Blue Ridge Mountains, (ii) maintain a one elk per day bag limit statewide, (iii) exclude antler point restrictions in any county designated by the Department within 25 miles of a confirmed detection of Chronic Wasting Disease (will eliminate the current antler point restrictions in Rockingham and Shenandoah counties), (iv) add Apprentice license holders to the Youth Antlerless Deer Regulation, and (v) include the counties of Buchanan, Dickenson, and Wise in the current Youth Antlerless Deer Regulation.

Proposed language of amendment:

4VAC15-90-90. Bag Limit, Bonus Deer Permits and Special Antlerless Provision for Youth Hunters.

A. The bag limit for deer east of the Blue Ridge Mountains (except on national forest lands in Amherst, Bedford, and Nelson Counties) is two per day, six per license year, three of which must be antlerless unless otherwise noted in this subsection.

1. The daily bag limit for deer is unlimited in the Counties (including the cities and towns within) of Arlington, Fairfax, Loudoun, and Prince William.

2. Only one deer per day may be taken on National Forest Lands in Amherst, Bedford, and Nelson counties.

3. Only one elk per day may be taken east of the Blue Ridge Mountains.

B. The bag limit for deer west of the Blue Ridge Mountains ~~and on national forest lands in Amherst, Bedford, and Nelson Counties~~ is ~~one~~ two per day, five per license year, three of which must be antlerless unless otherwise noted in this subsection.

~~1. The daily bag limit for deer is two per day on private lands in the Counties (including the cities and towns within) of Clarke, Frederick, Roanoke, Shenandoah, and Warren.~~ Only one deer per day may be taken on National Forest and Department-owned and Department-managed lands west of the Blue Ridge Mountains.

2. If a deer hunter kills two antlered bucks in a license year in Alleghany, Augusta, Bath, Highland, ~~or Rockbridge, Rockingham, or Shenandoah~~ County, at least one of the antlered bucks must have at least four antler points, one inch or longer, on one side of the antlers. This subdivision (B.2.) shall not apply to any county designated by the department within 25 miles of a confirmed detection of Chronic Wasting Disease.

3. Only one elk per day may be taken west of the Blue Ridge Mountains.

C. Except as noted in subsection E of this section, antlerless deer may be taken only during designated either-sex deer hunting days during the special archery seasons, special muzzleloading seasons, and the general firearms season.

37 D. Bonus deer permits shall be valid on private land in counties and cities where deer hunting is permitted
38 (except Buchanan, Dickenson, and Wise Counties) during the special archery seasons, special
39 muzzleloading seasons, and the general firearms season. Bonus deer permits shall be valid on public
40 lands, including state parks, state forests, national wildlife refuges, military areas, etc., as authorized by
41 the managing agency. Unless otherwise posted or authorized in writing for wildlife management areas by
42 the department, or for national forest lands by the U.S. Forest Service, the use of bonus permits is
43 prohibited on department-owned and national forest lands. Bonus deer permits shall be valid for antlerless
44 deer only. Deer taken on bonus permits shall count against the daily bag limit but are in addition to the
45 seasonal bag limit.

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47 E. Deer hunters 15 years of age and under, including those exempt from purchasing a hunting license, and
48 holders of an apprentice hunting license, when in compliance with all applicable laws and license
49 requirements, may take one antlerless deer per license year on days other than designated either-sex deer
50 hunting days during the special muzzleloading seasons or the general firearms season in all counties ~~that~~
51 ~~have at least one either-sex deer hunting day during the general firearms deer season.~~

Rationale:

Two deer per day private land bag limit west of the Blue Ridge Mountains. Over the years the Department has received numerous requests to increase the daily deer bag limit west of the Blue Ridge Mountains from one to two. This change has already been made on private lands in five of 31 western counties in the past. A challenge for increasing the daily bag limit region-wide has been the deer management situation on public lands. Over the past twenty plus years, the Department has documented a significant decline (~60%) in the deer kill on public lands west of the Blue Ridge (e.g., National Forest and Department-owned lands). To address this decline, the Department has significantly reduced public land either-sex deer hunting opportunities. This proposal will maintain the one deer per day bag limit on public lands west of the Blue Ridge, enabling the Department to establish a two deer per day bag limit statewide on private lands while at the same time addressing deer management concerns on public lands in western Virginia.

Elimination of antler point restrictions (APRs) in some counties.

In 4VAC15-40-285, *Unauthorized feeding of cervids*, Department staff is proposing a prohibition on feeding deer in any county designated by the Department within 25 miles of a confirmed detection of Chronic Wasting Disease. Deer management staff proposes that a similar approach be applied to APR's for the same reasons; i.e., to proactively reduce disease risks within a reasonable distance from known positives. This proposal will eliminate the current APRs in Rockingham and Shenandoah counties. APRs are designed to protect young antlered bucks and make the buck age structure older. Data from across the eastern US clearly shows that CWD infection rates are the highest in older male age classes.

Apprentice License Holders. Recruitment, retention and reactivation (R3) efforts are a very high priority for the Department. The deer management staff believes that adding Apprentice license holders to the current Youth Antlerless Deer Regulation is in keeping with ongoing R3 efforts.

Buchanan, Dickenson, and Wise counties. Over the last several years, the Department has received interest in increasing either-sex deer hunting opportunities in the counties of Buchanan, Dickenson, and Wise. The deer management staff believes that allowing youth and apprentice license holders to take deer under the current Youth Antlerless Deer Regulation will address some of these comments while still allowing for deer populations to increase in these three counties as called for in the Department's Deer Management Plan.

One per day elk bag limit. The proposal is to make no change in the daily bag limit for elk. In accordance with direction provided in the Draft Elk Management Plan, staff believe it is appropriate at this time to maintain the status quo on elk outside of the Elk Management Zone (Buchanan, Dickenson,

and Wise counties). Allowing hunters to harvest multiple elk per day, when opportunities to harvest elk are so limited, could give the perception that the agency has changed its position toward elk outside of the Elk Management Zone. Further, elk biology and herding behavior create conditions where harvesting multiple individuals is more likely and this could be perceived by the public as a fair chase issue.